

SECOND REGULAR SESSION

SENATE BILL NO. 726

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3388S.02I

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to a quality rating system for child care facilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto one new
2 section, to be known as section 210.205, to read as follows:

**210.205. 1. By September 1, 2008, the department of social
2 services in collaboration with the departments of health and senior
3 services, elementary and secondary education, and mental health shall
4 develop a quality rating system for early childhood and before- and
5 after-school programs licensed by the department of health and senior
6 services that operate in this state. Such ratings shall be built upon
7 Missouri's current system of licensing and regulation. The base level
8 of the rating system shall be licensing, and the highest level of the
9 rating system shall include accreditation by a state or nationally
10 recognized accrediting agency. The department of social services shall
11 utilize the model from the existing Missouri quality rating system pilots
12 developed by the University of Missouri Center for Family Policy and
13 Research, or any successor organization, to establish this system.**

14 2. The quality rating system shall:

**15 (1) Provide information for consumers and parents to evaluate
16 and select high quality programs;**

**17 (2) Create an accountability system for policymakers and those
18 who fund early childhood and before- and after-school programs;**

**19 (3) Guide providers through a system of ever increasing levels
20 of quality with specific outcomes.**

21 3. By July 1, 2011, all licensed facilities receiving quality

22 improvement funds or services shall be rated using the quality rating
23 system established under this section. The coordinating board for early
24 childhood, established under section 210.102, shall develop a plan for
25 a tiered system of reimbursement for child care subsidies based on the
26 quality rating system established under this section. The plan shall be
27 submitted to the general assembly with recommendations for
28 implementation of the reimbursement system, to begin July 1, 2010.

29 4. There is hereby created in the state treasury the "Quality
30 Rating System Program Improvement Grant Fund". Within this fund
31 there is created a first sub-account which shall consist of all gifts,
32 donations, transfers, and bequests to the fund. Notwithstanding the
33 provisions of section 33.080, RSMo, to the contrary, any moneys
34 remaining in this first sub-account shall not revert to the credit of the
35 general revenue fund. There is also created a second sub-account
36 consisting of moneys appropriated by the general assembly. Any
37 moneys remaining in this second sub-account shall at the end of the
38 biennium revert to the credit of the general revenue fund. The state
39 treasurer shall be custodian of the fund and may approve
40 disbursements from the fund in accordance with sections 30.170 and
41 30.180, RSMo. Upon appropriation, money in the fund shall be used
42 solely for the administration of this section to provide grants directly
43 to licensed providers seeking assistance for quality improvements to
44 undergo evaluation under the quality rating system established under
45 this section or to community-based organizations assisting providers
46 with such improvements. The fund shall be administered by the
47 department of social services. The state treasurer shall invest moneys
48 in the fund in the same manner as other funds are invested. Any
49 interest and moneys earned on such investments shall be credited to
50 the fund.

51 5. The department of social services in collaboration with the
52 departments of health and senior services and elementary and
53 secondary education shall be responsible for:

54 (1) Collecting and distributing resource materials to educate the
55 public and early childhood and before- and after-school programs in
56 Missouri about the quality rating system established under this section;

57 (2) Developing and distributing educational materials, including
58 but not limited to brochures and other media as part of a

59 comprehensive public relations campaign about the useful and
60 informational system of assessing the quality of child care and early
61 childhood programs in Missouri; and

62 (3) A site to post ratings of the quality rating system on the
63 Internet in a format easily understood and accessible by the public by
64 January 1, 2010.

65 6. The department of social services shall promulgate rules to
66 implement the provisions of this section. Any rule or portion of a rule,
67 as that term is defined in section 536.010, RSMo, that is created under
68 the authority delegated in this section shall become effective only if it
69 complies with and is subject to all of the provisions of chapter 536,
70 RSMo, and, if applicable, section 536.028, RSMo. This section and
71 chapter 536, RSMo, are nonseverable and if any of the powers vested
72 with the general assembly pursuant to chapter 536, RSMo, to review, to
73 delay the effective date, or to disapprove and annul a rule are
74 subsequently held unconstitutional, then the grant of rulemaking
75 authority and any rule proposed or adopted after August 28, 2008, shall
76 be invalid and void.

77 7. For purposes of this section, "early childhood program" shall
78 mean programs that are both centered and home-based and providing
79 services for children from birth to kindergarten.

80 8. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

81 (1) The provisions of the new program authorized under this
82 section shall automatically sunset six years after the effective date of
83 this section unless reauthorized by an act of the general assembly; and

84 (2) If such program is reauthorized, the program authorized
85 under this section shall automatically sunset six years after the
86 effective date of the reauthorization of this section; and

87 (3) This section shall terminate on September first of the
88 calendar year immediately following the calendar year in which the
89 program authorized under this section is sunset.

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